

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

TYRONE OWENS,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 16-cv-457-MJR
)	
DIRECTOR, IDOC,)	
UNKNOWN PARTY,)	
JACQUELINE LASHBROOK,)	
MARCUS HARDY,)	
RANDY HELLMAN, and)	
PAT RINSING)	
)	
Defendants.)	

MEMORANDUM AND ORDER

REAGAN, Chief District Judge:

Plaintiff filed this suit on April 26, 2016, alleging that his constitutional rights were violated due to an alleged price-gouging scheme at Pickneyville Correctional Center. (Doc. 1). The Court dismissed the case without prejudice for failure to state a claim on May 23, 2016. (Doc. 9). Although the Court granted Plaintiff an opportunity to amend his complaint, it also warned Plaintiff that if his amendment was frivolous, this case would be dismissed and a strike (Plaintiff's third and final) would be assessed. (Doc. 9).

On May 25, 2016, Plaintiff moved this Court for voluntary dismissal of the action pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure (Doc. 10).

Voluntary withdrawal of his claim is Plaintiff's right, and, accordingly, this action is **DISMISSED WITHOUT PREJUDICE**. All pending motions are **DENIED** as moot. (Doc. 3) (Doc. 4) (Doc. 8). Plaintiff is **INSTRUCTED** that, though he has dismissed his claim, he must still pay the filing fee for this case. *See* 28 U.S.C. § 1915(b)(1), (e)(2); *Lucien v. Jockisch*, 133 F.3d 464, 467 (7th Cir. 1998) (A prisoner incurs the obligation to pay the filing fee for a lawsuit when the suit is filed, and the obligation continues regardless of later developments in the suit, such as dismissal of the suit or denial of leave to proceed IFP.).

IT IS SO ORDERED.

DATED: July 27, 2016

s/ MICHAEL J. REAGAN

MICHAEL J. REAGAN

UNITED STATES CHIEF DISTRICT JUDGE